THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.15017 of 2006

21st July 2006

Between:

1. The District Educational Officer & Member Secretary, District Level Committee, West Godavari District, Eluru.

And one other.

...PETITIONERS

AND

1. K.V.Satyanarayana Murthy, LFL HM., M.P.Primary School, Palakunta, Buttayagudem Mandal, W.G.District.

And two others.

...RESPONDENTS

THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.15017 of 2006

ORDER: (Per the Hon'ble Mr Justice B.Prakash Rao)

Heard the learned Government Pleader for Services I.

The petitioners filed this Writ Petition, *inter alia*, seeking to assail the order dated 03.11.2005 in O.A.No.6887 of 2005 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad ('the Tribunal' for brevity) wherein, in a substantive application filed under Section 19 of the Administrative Tribunals Act, 1985, a positive direction was given to the petitioners to relieve the respondents from the present places of work, to enable them to join in the new places of posting in pursuance to the order of transfer vide proceedings of the District Educational Officer, West Godavari District, Eluru in Rc.No.117/A4/2005, dated 09.10.2005.

Having heard the learned Government Pleader for Services

I and on perusal of the material available on record, it is seen that the present Writ Petition is filed against an interlocutory *ex parte* order and the learned Government Pleader informed that they have already filed counter affidavit along with the application to vacate the interim order granted in V.M.A.No.839 of 2006 and the same is still pending. In spite of the same, without passing any final orders as such on the said application, the contesting respondent has filed contempt case in C.C.No.6 of 2006, which is being pressed into service.

Having regard to the above, we are of the opinion that there are no merits in the case and it would suffice in the interest of justice to direct the Tribunal to take up the application in V.M.A.No.839 of 2006 for consideration and pass orders and it is only thereafter, the Contempt Case can be taken up.

Subject to the above, the Writ Petition is disposed of. No costs.

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(B.PRAKASH RAO, J)

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(RAMESH RANGANATHAN, J)

21st July 2006
RRB

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